

GROUP 1 QUESTIONS & ANSWERS

9 January 2004

The following list of industry questions and Government responses shall not be construed as changing any of the terms, conditions, or requirements of the RFP. Any changes to the RFP will be made in an amendment issued on a Standard Form (SF) 30.

Section B

1. The added CLIN/SLIN structure does not provide for the sequential porting and integration of SOW Waveforms into the MIDS JTRS Terminal. Industry cannot possibly port, integrate, test and qualify all SOW waveforms into MIDS JTRS in 24 months. The RFP should be modified to indicate that only the Link 16 and TACAN Waveforms are integrated into Terminals delivered in support of the "Incentive on Schedule" clause, Event C. Further, the CLIN/SLIN structure should be modified to provide individual Waveform Porting, Integration, Test and Qualification tasking for those SOW Waveforms beyond Link 16 and TACAN. The schedule for these activities should follow from the initial Link 16 and TACAN efforts. Allow industry to propose a reasonable schedule to accomplish this task.
 - Government Response: The RFP does not require the contractor to qualify all waveforms (WF) listed in the Statement of Work (SOW). The contractor is only required to qualify the Link-16, TACAN, and SINCGARS WFs. The contractor is required to successfully port the other KPP WFs listed in the SOW (i.e., Have Quick WF, UHF DAMA WF, EPLRS WF, and WNW WF) by 31 months after the delivery order award for CLIN 3000.

2. The schedule for PDR, CDR and Government FAQT is not reasonable. Initial program discussions targeted 22 months for a streamlined, separate, dual-source development. Since those discussions, the concept of Common/Unique module developments was introduced. At that time a figure of 4 months was discussed as the schedule delay attributable to the two contractors' collaboration. Now the Government is advocating the concept of Trans-Atlantic Teaming. We feel this will add more schedule due to the additional collaboration, import and export requirements needed to perform the program. This was a MIDS-EMD lesson learned. Industry believes Trans-Atlantic Teaming will add an additional 4 months to the schedule. The Government's assumption of 4 months to a PDR was predicated on the Phase 2A tasking that has been significantly reduced in scope. The original Phase 1 PDR activities were mostly eliminated. On what basis does the Government now expect industry to complete the PDR activities in 4 months? Similarly, on what basis did the Government set the schedule for the release of the Product Baseline to manufacturing? GFAQT? Finally, the draft SOW does not reflect the streamlined program envisioned by government and industry reps when the 22-month schedule was discussed. Instead, the SOW is still a lift from the heavy weighted MIDS-EMD program.

Industry therefore believes the following schedule is a reasonable revised expectation:

- PDR 8 M ARO
- CDR 15 M ARO
- GFAQT w/L16 & TACAN WFs 32 M ARO
- GFAQT w/ SINCGARS ESIP WF 36 M ARO

- Government Response: The Government has awarded a 4 ½-month extension to the Phase 2A delivery orders to help achieve the Phase 2B milestones. The original 22-month Phase 2B effort did not account for this additional time under Phase 2A. Additionally, the RFP extends the time for industry to provide its first articles to the Government from 22 months to 24 months. Schedule incentives have been included in the RFP to encourage industry to meet the Phase 2B milestones. Any relaxation of the scheduled milestones will jeopardize the overall program objectives.

3. CLIN 3003 requests support for a PCA. A PCA is normally performed as part of the Government acquiring technical data as part of the item's Technical Data Package (TDP). Shouldn't CLIN 3003 only be exercised in conjunction with CLIN 3004?

- Government Response: The Government intends to delete CDRL JA04 in a future amendment to the RFP. Therefore, CLIN 3003 for a Physical Configuration Audit is deleted from the RFP in Amendment 0001.

4. The requirements to pass Government FAQT for the MIDS JTRS are not specified anywhere within this draft RFP. Isn't the GFAQT redundant to the CDT&E? Could they be combined to save cost and schedule?

- Government Response: The Government plans to conduct its own independent FAQT to ensure the requirements of the contract are met. The Government envisions utilizing test plans and procedures similar to those used for MIDS LVT production. If appropriate, the Government may explore ways to reduce Government testing in the interests of streamlining the testing process.

5. The government should consider adding a CLIN for the design, development and qualification of the External Power Amplifiers. They will be needed to qualify the waveforms beyond Link 16 and TACAN.

- Government Response: The MIDS JTRS program does not have the authority to acquire the JTRS external power amplifiers (PA). Industry must provide laboratory or factory test equipment that is representative of a JTRS external PA in order to qualify the waveforms beyond Link 16 and TACAN.

6. Please clarify the circumstances under which the negative incentive of \$1,000,000 would apply as stated on page B-2. If one of the 3 milestone events is met as written the negative incentive is not applicable.

➤ Government Response: Note (e) on page B-2 of the RFP is a summary of the incentives that will be applicable under the contract. Clause I-13 discusses the terms of the cost incentive, and Clause B-5 has been updated in RFP Amendment 001 to clarify the disincentives for Events A, B, and C. Each event is independent from the other events. For example, if the contractor fails to meet Event A, this will not affect the contractor's eligibility for earning an incentive fee for Events B and C. \$166,670 will be subtracted from the contractor's fee if Event A is completed later than 8 MADO. \$333,330 will be subtracted from the contractor's fee if Event B is completed later than 17 MADO. \$500,000 will be subtracted from the contractor's fee if Event C is completed later than 26 MADO.

7. Since the allocated baseline (ABL) has not been presented to nor authenticated by the Government what is the technical baseline for the proposal. In the event the baseline changes when the Government authenticates it after PDR it is assumed that the specification modifications will be subject to equitable adjustment when imposed contractually by the Government.

➤ Government Response: The functional baseline (FBL) and ABL developed by industry under Phase 2A and the Phase 2A extension delivery order will form the technical basis for industry's response to the Phase 2B RFP. Industry will maintain configuration control of the FBL and ABL documents until the Government authenticates them. If there are changes to the ABL as a result of the Government authentication process, the contractor will not be eligible for any equitable adjustment under the contract as a result of those changes. Once the Government authenticates and assumes configuration control of the ABL, any changes will follow the Engineering Change Proposal (ECP) process as defined in the MIDS JTRS SOW.

8. Define the authentication process within Event A and how it affects the Milestone Incentive Payment.

Government Response: In order to be eligible for the milestone payment, industry must present a completed allocated baseline (ABL) to the Government at the Preliminary Design Review (PDR) no later than 4 months after receipt of order (MARO) and deliver the ABL in accordance with CDRLs JA02, JA03, JA06, and JA07 no later than 4 MARO. In order for the submittal to be considered complete, each document required by the CDRLs must be included in the delivered ABL at 4 MARO. The Government will review the ABL submitted by industry for technical accuracy, completeness, format and consistency with the requirements of the contract.

If the Government determines that the ABL as submitted meets all contract requirements, the Government will authenticate the ABL, and the contractor will be awarded the Event A incentive fee. However, if the Government determines that the ABL as submitted does not meet all contract requirements, the Government will formally provide comments to the contractor and the contractor will have no more than 30 days to re-submit a corrected and complete ABL to the Government. The Government will review the ABL re-submitted by the contractor. If the Government determines that the re-submitted ABL meets all contract requirements, the Government will authenticate the ABL and the contractor will be awarded the Event A incentive fee. However, if the Government determines that the Allocated Baseline as re-submitted does not meet all requirements of the contract, the contractor will not be awarded the Event A incentive fee. At this point, the contractor will still be required under the contract to correct any deficiencies in the allocated baseline, but it will no longer be eligible for the Event A incentive fee.

9. Under Event C, will minor deviations be allowed?

- Government Response: The Government requires that no deviations be submitted against the requirements of the Phase 2B contract. However, if the contractor's US test articles do not meet all of the requirements of the contract, the Government may, at its discretion, award all of or part of the Event C incentive fee amount if all other Event C conditions have been met.

Section C

10. The configurations of Red I/O SRU in the new MIDS JTRS interchangeability clause need clarification. It is not understood what is meant by the parenthetical expressions. Maybe the I/O bus of each channel should be fully delineated, or the parenthetical expression replaced with the words, "all configurations".

- Government Response: Clause C-2.1 has been changed in RFP Amendment 001. All Red Processor/IO SRUs of the same configuration shall be interchangeable.

11. Under Section C-2 5) (a). As only two contractors received solicitations, please explain what the words "of any other awardees of MIDS production contracts under this solicitation mean.

- Government Response: Please note that Clause C-2 is the MIDS LVT interchangeability clause and is not applicable to MIDS JTRS. Clause C-2.1 is applicable to MIDS JTRS and it states in paragraph 4), "All LRUs and SRUs manufactured under this contract shall be interchangeable with the LRUs and SRUs produced by all other MIDS JTRS contractors."

Section F

12. The delivery schedule for CLIN 3000 places the European destined Terminals on the program's critical path with the US. This is an unexpected complication and risk area counterintuitive to successful program management. What is the driving requirement? What European platform is planning for the delivery of MIDS JTRS?

- Government Response: Each offeror is required to form a transatlantic team by having a European integrator and a U.S. integrator. Each integrator of each transatlantic team will have the same delivery schedule requirement. However, the integrators' terminals will be accepted independently once an integrator passes all its first article approval criteria in accordance with Clause H-23.2. Therefore, the European terminals are not on the critical path for the US terminals and visa versa.

Section H

13. Clause H-26 – The dates for the delivery of some Waveform Software are too late to support a 24 MACA GFAQT delivery. This material must be provided incrementally as soon as it is available. What about any ancillary equipment needed to port, integrate, test and qualify these waveforms? What external PAs will be used? What about any required support equipment? COMSEC equipment?

- Government Response: The contractor is only required to qualify Link-16, TACAN and SINCGARS waveforms. The L-16 and SINCGARS waveforms will be provided at 6 MADO. The Government will provide the other waveforms at 18 MADO. These other waveforms do not need to be qualified prior to Government FAQT. The MIDS JTRS program does not have the authority to acquire the JTRS external power amplifiers (PA). Industry must provide laboratory or factory test equipment that is representative of a JTRS external PA in order to qualify the waveforms beyond Link 16 and TACAN.



14. H-349 – Is industry really obligated to observe the federal holidays?? What if the specific industry does not allow for observance of all of these?

- Government Response: No, industry is not obligated to observe the federal holidays, but should state any exceptions to the holidays and work schedule identified in Clause H-349. Please note that Clause H-349 states, "Unless the contractor states otherwise in contractor's proposal, it will be deemed that the contractor shall observe the same holidays as the Government and shall otherwise be open for business Monday through Friday during the performance of the contract." If there is a holiday in this Clause that is not observed by the contractor

or if the contractor does not intend to be open for business Monday through Friday during the performance of the contract, the contractor should so state in his proposal.

15. Per clause H-57 with respect to the release of contractor confidential business information we would prefer that all Government support contractors that come into contract with ViaSat confidential information execute Non Disclosure Agreements directly with ViaSat prior to the release of this information. Please provide a list of contacts so agreements can be established.

- Government Response: SPAWAR's current support contractor that performs duties described in Clause H-57 is Brace Management Group, Inc. (BMG). The appropriate BMG point of contact for executing a non-disclosure agreement is Paul Haulsey, President, (301) 772-7600.

16. As a small business, ViaSat was exempt from a small business subcontract plan under the original award of N00039-00-D-2101. Since that time ViaSat has crossed the threshold from a small to a large business. Since this is a modification to the 2101 contract ViaSat believes that it is still exempt from the Small Business Plan requirement. Please confirm.

- Government Response: Once a company has certified its size status under a contract, that certification is valid for the life of the contract. Therefore, ViaSat's assumption is correct: ViaSat is not required to submit a Small Business Plan in response to this RFP.

Section J

17. Who will read and approve ALL of these CDRLS??? 129 CDRLS delivered in 22 months equals nearly 6 CDRLS delivered per month not counting revisions. Have these been internally scrubbed? This will be expensive!

- Government Response: The Government is reviewing the CDRLs. Any changes will be made in an amendment to the RFP.

Section L

18. L-22 does not address the concept of Common vs. Unique SRUs. Accommodation should be made for separate technical volumes.

- Government Response: The offeror, in conjunction with the other offeror(s), shall submit one combined technical proposal in accordance with Provision L-22 of the RFP. If an offeror chooses to submit a separate technical volume for a unique SRU, it must justify the need to do so by thoroughly explaining in its proposal why the SRU cannot be included in the combined technical proposal.

19. Clause L-23.1.3.1 refers to L-22.3.3, which is not included in the solicitation. Please clarify.

- Government Response: The reference to L-22.3.3 in Clause L-23.1.3.1 is a typo that has been corrected in Amendment 001. The first sentence of Clause L23-1.3 should read, "SPREADSHEET FORMAT A: The Offeror shall provide a breakdown of cost for Contract Line Item Numbers (CLINs) 3000, 3002, 3003, and 3005 by cost element (see L-23.1.3.3, Cost Elements, below) in accordance with the Contract Work Breakdown Structure (CWBS) that is common among the participating MIDS JTRS Phase 2B vendors."